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5 Counsel for Defendant HERNANDEZ

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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,)
vs.) No. CR 12- 000705-YGR
ALONZO JUAN HERNANDEZ,)
Defendant.)

Plaintiff,)
) STIPULATION TO CONTINUE; ORDER
) CONTINUING CASE AND EXCLUDING
) TIME UNDER THE SPEEDY TRIAL ACT

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IT IS HEREBY STIPULATED, by and between the parties to this action, that the MOTIONS/TRIAL SETTING HEARING date of November 29, 2012 presently scheduled at 2:00 p.m., before the Honorable Yvonne Gonzales Rogers, be vacated and re-set for January 10, 2013 at 2:00 p.m. for TRIAL OR MOTIONS SETTING OR DISPOSITION HEARING.

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The primary reason for this request is that defense counsel is continuing to review discovery and investigate this case. This case will require significant investigation, as well as conference between the parties. The allegations in this case are serious, and the sentencing exposure may depend on records located in various local jurisdictions as well as other factual investigation. Several hundred pages of discovery were recently produced and have yet to be reviewed. Further, defense counsel will be transferring this case to new counsel as of November

1 30, 2012, due to family leave. New counsel will thus need time to familiarize herself with the
2 case.

3 The parties agree and stipulate that the time until January 10, 2013 should be excluded,
4 under 18 U.S.C. §3161(H)(7)(A) because the ends of justice served by the granting of the
5 continuance outweigh the bests interests of the public and the defendant in a speedy and public
6 trial. The continuance is necessary to accommodate counsel's preparation efforts.

7

8 Date 11/28/12

9 /s/
John Paul Reichmuth
10 Assistant Federal Public Defender
11 Counsel for defendant STEPHENS

12 Date 11/28/12

13 /s/
James Mann
14 Assistant United States Attorney

15 I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/S/)
16 within this efiled document.

17 /S/ John Paul Reichmuth
18 Counsel for Defendant Hernandez

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ORDER

2 The court finds that the ends of justice served by the granting of the continuance
3 outweigh the bests interests of the public and the defendant in a speedy and public trial. The
4 continuance is necessary to accommodate counsel's preparation efforts and the continuity of
5 defense counsel. Based on these findings, IT IS HEREBY ORDERED THAT the above-
6 captioned matter be continued to January 10, 2013 at 2:00 p.m., and that time be excluded from
7 the date of this order to January 10, 2013 pursuant to 18 U.S.C. §§3161(h)(7)(A).

9 || IT IS SO ORDERED.

November 29, 2012
Date

Yvonne Gonzalez Rogers
HON. YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE